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Letter dated 15 November 2016 from the Panel of Experts on South Sudan established pursuant to Security Council resolution 2206 (2015) addressed to the President of the Security Council

The members of the Panel of Experts established pursuant to Security Council resolution 2206 (2015), whose mandate was extended pursuant to Council resolution 2290 (2016), have the honour to transmit herewith, in accordance with paragraph 12 (d) of resolution 2290 (2016), the Panel's interim report.

The report was provided to the Security Council Committee established pursuant to resolution 2206 (2015) on 28 October 2016 and was considered by the Committee on 11 November.

The Panel would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Payton **Knopf**
Coordinator
Panel of Experts on South Sudan

(*Signed*) Andrews **Atta-Asamoah**
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Interim report of the Panel of Experts on South Sudan established pursuant to Security Council resolution 2206 (2015)

Summary

In the wake of the de facto collapse of the Agreement on the Resolution of the Conflict in the Republic of South Sudan after the fighting in Juba in July 2016, the political and security situation in the country has continued to deteriorate markedly, and the prospects for an even more catastrophic escalation of violence at the outset of the dry season in November and December are high. Armed actors on all sides continue to demonstrate in word and in deed that they are preparing for just such an escalation.

The permanent ceasefire envisaged in the Agreement has not been respected by the parties. Violence is surging in greater Equatoria and has included the systematic targeting of civilians, gross violations of human rights and international humanitarian law and widespread sexual violence as part of the brutal counter-insurgency campaign undertaken by the Sudan People's Liberation Army (SPLA) and militias affiliated with the Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/A) in Government led by the President, Salva Kiir. In Central Equatoria — the seat of the capital, Juba — armed groups are increasingly targeting vehicles carrying goods and civilians, many of whom are Dinka, in retaliation for the government offensive and other policies. Compounded by the intensity of inflammatory rhetoric by Dinka and non-Dinka alike in recent weeks, these tactics have the potential to provoke violent ethnic conflict on an even greater scale. Fighting is also continuing in Western Bahr el-Ghazal, Upper Nile and Unity, and arms continue to flow into the country.

While the flight of the leader of SPLM/A in Opposition, Riek Machar, from South Sudan may give the appearance of the ascendance of Kiir and his inner circle and may have emboldened these elements, deep structural weaknesses within the regime and SPLA, in addition to an increasing lack of control over large portions of the country, nevertheless underscore the tenuous nature of his rule. Kiir's co-optation of the Agreement by placing his proxies in most positions reserved for SPLM/A in Opposition members within the Transitional Government of National Unity has foreclosed a meaningful political and reconciliation process, further dividing the country along tribal lines, given that many non-Dinka communities — and Dinka alienated by the regime — see no viable forum to express political dissent, pursue reform or ensure their basic security. Provocative policy initiatives, such as Kiir's order of October 2015 to increase the number of states from 10 to 28, proposed by the Jieng Council of Elders and supported and defended by political figures such as the Minister of Information and Broadcasting, Michael Makuei, are exacerbating these divisions.

This volatility is compounded within Juba by concerns about Kiir's health and the uncertainty of presidential succession. Rumours in mid-October that Kiir had become gravely ill, subsequently proved to be somewhat exaggerated, raised fears of possible armed conflict erupting between various factions over the future of the presidency, notably between the SPLA Chief of General Staff, Paul Malong, and the

Director General of the Internal Security Bureau of the National Security Service, Akol Koor, in addition to various other Dinka clans and political affiliates.

The armed opposition to Kiir's regime is an increasingly multifaceted amalgam of forces encompassing dissident groups with diverse grievances, aims and approaches to the war. Many of these groups are either not under the direct control of SPLM/A in Opposition led by Machar, which was a party to the Agreement, or are only loosely affiliated with it. Nevertheless, Machar's resilience, notwithstanding the government attempts to assassinate him in greater Equatoria, has seemingly provided more motivation for Equatorian armed elements to associate formally with SPLM/A in Opposition. The perception that the belligerence of Kiir's Dinka-dominated regime is leading the country inexorably towards a devastating tribal war, coupled with a sense that the international community is failing to take the steps necessary to avoid a further escalation of the conflict, are providing impetus among non-Dinka opposition political and military forces towards greater coordination, if not complete organizational unity.

Mass displacements, both internally and across borders, have accelerated in recent months, with more than 1 million South Sudanese now having sought refuge in neighbouring countries — 200,000 from greater Equatoria alone between July and October.[a] Severe food insecurity, approaching famine levels in some areas, affects at least 4.8 million people,[a] over one third of the population. Peacekeeping and humanitarian operations continue to be relentlessly obstructed, principally by civilian and armed actors affiliated with SPLM/A in Government. Notwithstanding the purported acceptance by Kiir's regime of the regional protection force envisaged under Security Council resolution 2304 (2016), his spokesperson publicly rejected the proposed troop-contributing countries on 24 October. While Kiir established a committee on 14 October to facilitate an improvement in humanitarian access within two weeks,[b] there had been no evidence of improved access as at the time of submission of the present report on 28 October. In fact, the government has consistently failed to demonstrate any willingness to alleviate what is by every empirical measure among the worst country-wide humanitarian emergencies in the world.

The extension of the war also continues to pose an increasingly grave threat to the country's neighbours. For example, on 13 August, some 800 to 900 troops from SPLA Division VI launched an incursion into the Democratic Republic of the Congo, crossing the border and engaging in a battle with SPLM/A in Opposition. On 17 August, two MI-24 helicopters also crossed the border, travelling nearly 6 km into Congolese territory and again attacking SPLM/A in Opposition positions.

[a] Data as at 20 October 2016. See "OCHA humanitarian bulletin South Sudan", No. 16, 20 October 2016, available from http://reliefweb.int/sites/reliefweb.int/files/resources/1601020_OCHA_SouthSudan_humanitarian_bulletin16.pdf.

[b] See "President Kiir forms joint humanitarian aid delivery committee", *Sudan Tribune*, 17 October 2016. Available from www.sudantribune.com/spip.php?article60555.

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* The annexes are being circulated in the language of submission only and without formal editing.

I. Background

A. Mandate and appointment

1. By its resolution 2206 (2015), the Security Council imposed a sanctions regime targeting individuals and entities contributing to the conflict in South Sudan and established a sanctions committee (Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan). The Committee designated six individuals for targeted sanctions on 1 July 2015. The sanctions regime was renewed until 31 May 2017 with the adoption by the Council of resolution 2290 (2016) on 31 May 2016.

2. In establishing the sanctions regime, the Security Council decided that the sanctions measures, consisting of a travel ban and an asset freeze, would apply to individuals and/or entities designated by the Committee as responsible for, or complicit in, or having engaged in, directly or indirectly, actions or policies threatening the peace, security or stability of South Sudan.

3. The Security Council also established a panel of experts (Panel of Experts on South Sudan) to provide information and analysis regarding the implementation of the resolution. This includes information relevant to potential designations and information regarding the supply, sale or transfer of arms and related materiel and related military or other assistance, including through illicit trafficking networks, to individuals and entities undermining political processes or violating international human rights law or international humanitarian law.

4. On 22 June 2016, following the extension of the Panel's mandate under resolution 2290 (2016), the Secretary-General, in consultation with the Committee, appointed the five members of the Panel (see S/2016/563): a regional affairs expert (Andrews Atta-Asamoah), an armed groups expert (Payton Knopf), a natural resources and finance expert (Andrei Kolmakov), a humanitarian affairs expert (Anna Oosterlinck) and an arms expert (Klem Ryan).

B. Methodology

5. While established by the Security Council, the Panel is an independent body that operates in an objective, fact-based manner and safeguards its work against any effort to undermine its impartiality or create a perception of bias. The full Panel approved the text, conclusions and recommendations contained herein on the basis of consensus.

6. The Panel has been fully committed to ensuring compliance with the standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions in its report of December 2006 (S/2006/997). Those standards call for reliance on verified, genuine documents, concrete evidence and on-site observations by experts, including photographs wherever possible. The Panel has corroborated all information contained in the present report using multiple, independent sources to appropriately meet the highest evidentiary standard, placing a higher value on statements by principal actors and first-hand witnesses to events.

7. The Panel has conducted its work with the greatest transparency possible while maintaining, when requested or when significant safety concerns exist, the confidentiality of its sources. When a source is described as "confidential" or is not named herein, the Panel has determined that disclosing the source's identity would present a credible threat to his or her safety. When a confidential military source is referred to herein as a "senior" officer or commander in the Sudan People's Liberation Army (SPLA) or Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/A) in Opposition, the source holds a rank between lieutenant colonel and brigadier general. When a confidential military source is referred to as a "high-ranking" officer or commander in SPLA or SPLM/A in Opposition, the source holds a rank of major general or above. A document is described as confidential when its disclosure could compromise the safety of the source.

8. To gather, examine and analyse information regarding the supply, sale or transfer of arms and related materiel, as mandated in resolution 2290 (2016), the Panel has used a combination of first-hand inspections of arms and equipment, photographs, other visual evidence, assessments of documentation and numerous stakeholder interviews. In the absence of an arms embargo, formal inspections of stockpiles were not possible.

9. The Panel is committed to the highest degree of fairness and has given relevant parties the opportunity, where appropriate and possible, to review and respond to any information in its report citing those parties.

II. Extension, expansion and evolution of the war

10. As described both in the Panel's report of January 2016 (S/2016/70) and its 120-day report of September 2016 (S/2016/793), the continued belligerence of SPLM/A in Government, led by the President, Salva Kiir, and SPLM/A in Opposition, led by Riek Machar, remains the principal factor driving the extension and expansion of the war in South Sudan. Kiir's public threat on 19 October to assume personal command in the field of the campaign against Equatorian militias and the statement of 23 September from the political bureau of SPLM/A in Opposition calling for "popular armed struggle", which Machar signed, are some of the most recent — although far from the only — examples of this persistent fact.

11. The SPLA Chief of General Staff, Paul Malong, remains a central figure in the perpetuation and expansion of the war, including the conflict in greater Equatoria, described in detail below. After the fighting in Juba in July, he oversaw the operation to hunt down Machar and the SPLM/A in Opposition forces in Central Equatoria.[1] The Internal Security Bureau of the National Security Service, under the command of Akol Koor, also remains an instrumental actor in the suppression of opposition to Kiir's regime, notably in the threats posed to South Sudanese civil society and to the prospects for reconciliation and progress towards an inclusive political process, as described in section D below.

12. The extension of the war continues to pose an increasingly grave threat to the countries that neighbour South Sudan. For example, after a long series of skirmishes

[1] Confidential interviews with two high-ranking SPLA officers conducted in September and October 2016.

between SPLA and SPLM/A in Opposition in Central and Western Equatoria after Machar fled from Juba in July. Machar and some 750 soldiers and civilians entered the Democratic Republic of the Congo. The Panel has confirmed that, on 13 August, SPLA then launched an incursion into the Democratic Republic of the Congo. An estimated 800 to 900 SPLA troops from Division VI crossed the border and engaged in a battle with SPLM/A in Opposition. On 17 August, two MI-24 helicopters also crossed the border, travelling nearly 6 km into Congolese territory and again attacking SPLM/A in Opposition positions. As the Panel noted in its report of September 2016 (S/2016/793), while the helicopters are under Malong's direct command, it is implausible that they are deployed without Kiir's full knowledge and approval, in particular given the gravity of an operation that encroached into the territory and airspace of another Member State.

A. Intensification of tribal conflict and incitement

13. As previously documented by the Panel, the war is increasingly characterized by the targeting of civilians on a tribal basis, given that it has evolved into what is widely perceived to be a zero-sum confrontation between the Dinka and non-Dinka tribes in many areas. This dynamic has become even more pronounced since SPLA pursued Machar through Equatoria in July and August and the emergence of greater Equatoria as the new epicentre of the war.

14. Kiir's order to increase the number of states from 10 to 28, thereby unilaterally redrawing many well-established community boundaries, negative perceptions associated with the activities of the Jieng (Dinka) Council of Elders[2] and the brutality of forces loyal to Kiir's regime are the major drivers of anti-Dinka sentiment in the country.[3] For example, many non-Dinka communities perceive the 28-states order as an initiative of the Jieng Council of Elders to grant more land to the Dinka.[4] In his 7 October resignation letter as a deputy chief of general staff of SPLA, Lt. Gen. Bapiny Mantuil Wicjang Wuor, a prominent leader of the Bul Nuer, the one Nuer clan that had been allied with Kiir since the outset of the war and had been in the vanguard of the government campaign in Unity in 2015, made the following claim:

> The government of Salva Kiir is now only concerned with one thing and that one this is 28 states which is the only concern of Jieng Council of Elders and they are ready to shed blood with all those who want the order reversed in order for them to get back their annex lands.

15. He concluded: "I have decided to join my community in their agony and will decide together with them whether our lands should be allowed to be taken by Dinka simply because the president hails from Dinka."

[2] For more detail on the Jieng Council of Elders, see S/2016/793.

[3] In mid-September, a Cabinet minister told the Panel that Kiir and the First Vice-President, Taban Deng Gai, were planning to announce a further increase in the number of states in late October, from 28 to 36.

[4] Confidential interviews with a Nuer academic, an SPLA general, a civil society activist and an Equatorian academic, August 2016.

16. Over the course of the war, SPLA has become dominated by Dinka, in particular Dinka from greater Bahr el-Ghazal. While other tribes are represented in SPLA, they are increasingly marginalized, rendering the multi-tribal structure of the army largely a façade that obscures the central role that Dinka now play in virtually all major theatres of the conflict.[5] In a speech to SPLM party members on 19 October, Kiir in fact alluded to the predominantly Dinka character of SPLA by asking rhetorically that, if "Nuers have left with Riek Machar and Equatorians have refused to join the army, how should I get other people to join the army?" He also railed against Equatorians, whom he blamed for instigating instability in an attempt to encourage United Nations intervention in the country and, saying "we will not just sit in Juba, we will go out", threatened to take personal command of the counter-insurgency campaign in Yei, Central Equatoria.

17. Incitement to violence has also increased as part of the intensification of the tribal conflict. Following the killing of Dinka civilians in an ambush on the Juba-Yei road in October, an attack on three buses transporting civilians, including many Dinka, on the Juba-Nimule road and subsequent reports of the targeting of Dinka in Western Equatoria,[6] incitement from both Equatorian and Dinka communities increased considerably in October. Some members of those communities have traded threats of mass killings, retaliatory attacks, expulsion and name calling. A number of letters purporting to be from those communities circulated in the weeks just before the submission of the present report. While the Panel cannot confirm the authorship of the letters or the existence or composition of the groups behind them, their wide public dissemination has nonetheless contributed to a surge in intertribal tensions (see annex I for copies of these letters).

18. For example, an open letter dated 4 October purportedly from a member of the "Jieng Youth Union" threatened that "we the youth of Jieng are tired of this act and as per now, we urged all Equatorians and other tribes who have declared war against us to leave our areas before designated dateline elapses". A subsequent letter, apparently from the same source, called for atrocities against their tribespeople to stop "otherwise they will regret the retaliation" and that Dinka young people "will not tolerate and keep silence while their people are being killed on daily basis".[7] Another group calling itself the "Angry Youth of former Northern Bahr el Ghazal" issued a warning in a letter circulated to non-governmental organizations in the area on 14 October, stating the following:

> We are going to take a quick revenge attack against Equatorians anywhere and any place from now on. We will find you and kill you. We will despicably and barbarically kill you. We will also humiliate you like it is never done before. We will gruesomely cut you like what your people did to our mothers and children on Equatoria roads. Retaliation attack MUST begin right now! ONE NATION, ONE PEOPLE is DEAD. The consequences will graphically and horrifically huge.

[5] Confidential interviews with four high-ranking SPLA officers, July and August 2016, and a former high-ranking SPLA officer, September 2016.

[6] See "Dinka Council of Elders condemns Juba-Yei ambush attack", Radio Tamazuj, 10 October 2016. Available from https://radiotamazuj.org/en/article/dinka-council-elders-condemns-juba-yei-ambush-attack.

[7] Letter written by the "Jieng Youth Union" in condemnation of the killing of civilians on the Juba-Yei road, 11 October 2016, signed by Garang Madut Apiin and Samuel Marial Dongrin.

19. Another letter circulated in Aweil, Northern Bahr el-Ghazal, in mid-October by the "Greater Aweil Vigilant Syndicate" stated:

> We are issuing a 168 hour (7 days and nights) ultimatum to all Equatorians — Women, Men & Hermaphrodite, young & old, and any other unmentioned category to gather their belongings and embark on their journey back to Equatoria in peace and piece or else risk being carried back home in coffins as a luggage ... As of now, we are deploying our units at strategic points as they await to launch the vengeance.

20. A statement posted online on 16 October claiming to be from a section of Equatorian young people threatened that "any Equatorian lives taken in Dinkaland or anywhere shall receive shift and determined response that every Dinka in the territories of Equatoria will come to know". After noting what the author describes as "injustices perpetrated by the Dinka upon the people of Equatoria, as it has been shown recently in the Dinka Plan against the non-Dinka, including Equatoria; masterminded by Dinka Council of Elders; implemented by the tribal Government, presided upon by Kiir that sought to enshrine Dinka supremacy over other tribes", the statement instructed that "Dinka must leave Equatoria immediately" and that "Equatoria has taken enough loses, are fed up, and enough is enough".[8]

21. A similar threat issued on 17 October, purportedly by Dinka young people in Eastern Nile, gave all Equatorians seven days to leave the state and threatened that otherwise "we will apply the same practices to you on our roads, don't take this for granted but wait and see". While condemning the targeting of Dinka and seeking to draw the attention of the international community to their restraint and commitment to peace, another group calling itself the "Jieng Community in East Africa" released a widely circulated press statement on 20 October in which it noted that "Dinka people are being targeted because of their ethnicity and therefore are entitled to self-defense unless the groups behind the killings stop the activities of extra-judicial killings with immediate effect". A threat issued on 24 October by the "Greater Bahr El Ghazal Youth in Wau State" to Equatorians working in the area stated that the "time for retaliation has come to its mature stage, which will be effective as soon as possible". The letter urged "all the Equatorians to evacuate Bahr el Ghazal within 72 hours effective from the date of this letter".

22. Reacting to the ambushes of Dinka civilians in greater Equatoria, the Minister of Information and Broadcasting, Michael Makuei, threatened reprisal attacks by SPLA against the Equatorian communities deemed to be harbouring SPLM/A in Opposition forces, declaring in a press release from the Office of the Spokesperson of the Transitional Government of National Unity on 12 October that "the Government may be forced to respond by hunting down those who are hiding within the communities" and that "the Government may be forced to take measures that may not be favoured by the communities in order to stem these elements from the communities". A leading member of the Jieng Council of Elders, Aldo Ajou Deng Akuey, had also claimed publicly at the end of September that Dinka were being

[8] A copy of the letter is available from www.southsudanliberty.com/news/index.php/latest-news/1302-it-is-time-for-dinka-to-leave-equatoria-and-now.

physically targeted by "organized tribal terrorists in Central Equatoria" and said that "it has to stop otherwise the response would be disastrous".[9]

23. Derogatory tribal epithets are increasingly used by one tribe against the other, signifying the extent to which some of the tribes are dehumanizing one another. Dinka refer to Nuer as "rebels" and "Pig Nuers" and to Equatorians as "cowards" and "nyam-nyam", meaning, among other things, "cannibal".[10] Equatorians refer to Dinka as "land grabbers", "forbidden goods", "unwanted goods" or "MTN", an appropriation of the mobile phone company's slogan "everywhere you go".[11] Nuers have corrupted the Dinka word "Jieng" (Dinka) into "Jiang", a word meaning "slave" in the Nuer language.

24. Social media has been used by partisans on all sides, including some senior government officials, to exaggerate incidents, spread falsehoods and veiled threats or post outright messages of incitement. In a meeting in June with the Minister of Defence and Veterans' Affairs, Kuol Manyang, and the SPLA Chief of General Staff, Paul Malong, the latter showed the Panel a video on his mobile phone of what he alleged was the murder of a group of "Dinka in Central Equatoria" and claimed that he had first-hand witnesses verifying the video's authenticity. The Panel has been unable to determine the exact origin of the video. The video has, however, circulated on social media, and investigations into its content do not support the government claims regarding the location, the timing or the ethnicity of the victims.

25. Figure I below depicts screenshots from social media illustrating some of the online incitement examined by the Panel during its investigations (see annex II for additional examples).

[9] See "Dinka Council of Elders warns disastrous war in South Sudan", Radio Tamazuj, 30 September 2016. Available from https://radiotamazuj.org/en/article/dinka-council-elders-warns-disastrous-war-south-sudan.

[10] The word "nyam-nyam" is used by both Nuer and Dinka and can mean both "cannibal" or, in recent usage, "food lover".

[11] These names were extracted from numerous social media posts by South Sudanese of varying ethnicities.

Figure I
Social media screenshots

#Jieng should start taking laws into their hands. Otherwise, they will keep on perishing on the roads in the greater Equatoria Region!!
My condolences to the families of the deceased!! May God Rest their Souls in eternal peace!!....
Like
Comment
Share
75
From the Mighty Doak Doaakni, across the Nuerlands, let's kill the Dinka toot!
From the Mighty Collo, Equatorians, let's kill the Dinka toot!
From the Mighty Murle, let's kill the Dinka toot!
Nuaari, Shilluk, Equatorians and Murle, wherever you get Dinka and kill them.
Note: kill any Dinka woman, man, child, blind and old and leave no Dinka alive toot! Let's do to them what they did to us! -Luth Guea
Like
Share
WE SUPPORT FREEDOM FIGHTERS YOUTH BOR,MALAKAL,BENTIU,JUBA
yes let the nuer kill all the dinkas around s. sudan
Like
Share

B. War in greater Equatoria

26. As described in the Panel's report of January 2016 (S/2016/70), with the exception of Juba, greater Equatoria had been largely unaffected during the first 14 months of the war. Beginning in the second half of 2015, however, violence in the region spiked as a result of territorial disputes between Equatorian communities and Dinka pastoralists who were backed by SPLA. The resulting hostilities have been compounded by the lack of implementation of the Agreement, including the government's initial refusal to canton opposition forces in greater Equatoria as part of the security arrangements; Dinka domination of the political and security

institutions of the government coupled with Equatorian marginalization; and the disruption of Equatorian agriculture and trade owing to the expanding conflict.[12]

27. These trends accelerated dramatically following the violence in Juba in July. As at the beginning of October, at least 200,000 refugees had fled from South Sudan to Uganda since July, of whom an estimated 150,000 were from Equatoria — a clear indicator of the severity of the security situation in that region. Another 120,000 Equatorians were estimated to be displaced internally.[13] On the basis of interviews with recent Equatorian refugees and nearly a dozen United Nations and humanitarian staff working in or visiting the area, the Panel has concluded that atrocities and gross violations of human rights and international humanitarian law are taking place, which have only further deepened Equatorian animosity towards Kiir's regime.

28. Some of the most severe violence in the weeks immediately preceding the submission of the present report occurred in Central Equatoria, the seat of the capital, Juba. In one case in late August, SPLA reportedly pursued and captured 20 civilians in Katigiri Payam, Wonduruba County, on account of their alleged support for SPLM/A in Opposition.[14] The civilians, including two boys of 10 and 12 years of age and two older men of over 65 years of age, were executed at the SPLA barracks. Another witness told the Panel how forces affiliated with SPLM/A in Government had razed the village of Lobonok on 4 September.[15] An elderly survivor fled from Kenyi Payam, Lainya County, to Uganda that day and described hiding in the bush as SPLA soldiers attacked his village and looted all valuables. He reported later seeing the bodies of four men and a woman by the roadside as he fled to Uganda.[16]

29. Yei County and the town of Yei have been particularly affected by this recent violence. The Panel has received numerous reports of indiscriminate targeting of civilians in Yei by armed forces affiliated with SPLM/A in Government, including extrajudicial killings, rapes, abductions, arbitrary arrests and detentions, torture, beatings, harassment and intimidation, looting and destruction of civilian properties (including burning down houses) and livelihoods.[17]

30. The deployment to Yei of SPLA units under Malong's command in late 2015, allegedly at the governor's request in order to address rising insecurity on the roads, was a turning point. Those units consisted almost exclusively of Dinka from greater

[12] Confidential interviews with a United Nations source, an SPLM/A official, two senior SPLM/A in Opposition officers and nearly 20 Equatorian refugees in Nairobi and Kampala, September and October 2016.

[13] See the protection situation update on Yei and the surrounding area, dated 7 October 2016, available from www.humanitarianresponse.info/en/system/files/documents/files/protection_cluster-update_on_yei_and_surrounding_area_7_october_2016.pdf. According to UNHCR in Uganda in its emergency update on the South Sudanese refugee situation (No. 52, covering the period 22-24 October 2016), in October an average of 2,376 new arrivals fled from South Sudan to Uganda every day.

[14] Information provided by a confidential United Nations source.

[15] Confidential interview with a refugee from Lobonok in Kampala, October 2016.

[16] Confidential interview with a refugee from Kenyi Payam, Lainya County, in Kampala, October 2016.

[17] Confidential interviews with United Nations sources and 12 refugees from Yei County in Nairobi and Kampala, September and October 2016.

Bahr el-Ghazal.[18] The shooting on 16 May 2016 by SPLA of a Catholic nun, who died a few days later, further aggravated tensions between the local community and government-affiliated security forces.[19] After the violence in Juba in July, intense fighting between SPLA and SPLM/A in Opposition in the town of Yei and areas south of the town in Lasu Payam then precipitated a wave of mass displacement to Uganda, the Democratic Republic of the Congo and Juba.[20]

31. In July and August, SPLA began to force people in the villages surrounding Yei into the town, purportedly to enable operations to drive out rebel forces. SPLA subsequently set up checkpoints on all main access roads into the town. Internally displaced persons and host communities, irrespective of ethnicity, were not allowed to leave to tend to their properties or farmland, which led to food shortages.[21] Individuals outside the town who were deemed by government security forces to be affiliated with SPLM/A in Opposition were at risk of being beaten or killed.[22] According to some of the accounts of those who managed to flee from Yei, SPLA was also targeting for attack any civilians in the town who were suspected of supporting the opposition.[23]

32. A humanitarian assessment mission undertaken by United Nations and humanitarian agencies visited Yei from 6 to 8 September. The mission reported "violent attacks — including killings of civilians using machetes and guns, abductions, sexual violence, forced recruitment and mistreatment by armed

[18] Confidential interviews with a former SPLM/A official in Nairobi, September 2016, and an Equatorian religious leader and a United Nations source in Kampala, October 2016.

[19] See Office for the Coordination of Humanitarian Affairs, "Inter-agency rapid needs assessment report: Yei, Central Equatoria (6-8 September 2016), available from http://reliefweb.int/sites/reliefweb.int/files/resources/160923_yei_irna_report.pdf; Panel interview with Equatorian religious leader in Kampala, October 2016; Fredrick Nzwili and Megan Cornwell, "Slovakian missionary sister shot in South Sudan", *Tablet*, 19 May 2016, available from www.thetablet.co.uk/news/5577/0/slovakian-missionary-sister-shot-in-south-sudan; and "Nun dies after being shot in South Sudan", IOL, 20 May 2016, available from www.iol.co.za/news/africa/nun-dies-after-being-shot-in-south-sudan-2024270.

[20] See Office for the Coordination of Humanitarian Affairs, "Inter-agency rapid needs assessment report: Yei, Central Equatoria (6-8 September 2016)", available from http://reliefweb.int/sites/reliefweb.int/files/resources/160923_yei_irna_report.pdf.

[21] UNMISS noted in a statement of 10 October that it was "concerned at the humanitarian crisis unfolding, with a population unable to move freely, tend to their farms, or feed themselves, due to various restrictions on their movement, and the inability of humanitarian partners to freely access the area and provide much needed assistance". See https://unmiss.unmissions.org/unmiss-statement-yei-call-immediate-cessation-hostilities. A group of Yei churches launched an emergency humanitarian appeal in late August owing to food shortages and an absence of humanitarian services, including medicine and education. See "Yei churches fear 'massive exodus' after desperate humanitarian situation", Radio Tamazuj, 24 August 2016, available from https://radiotamazuj.org/en/article/yei-churches-fear-"massive-exodus"-after-desperate-humanitarian-situation.

[22] See the protection situation update on Yei and the surrounding area, dated 7 October 2016, available from www.humanitarianresponse.info/en/system/files/documents/files/protection_cluster-update_on_yei_and_surrounding_area_7_october_2016.pdf. Confirmed by multiple interviews with United Nations personnel, Equatorian refugees, an Equatorian religious leader and four former SPLM/A officials.

[23] Confidential interviews with 12 refugees from Yei County in Nairobi and Kampala, September and October 2016.

actors".[24] On 30 September, the Office of the United Nations High Commissioner for Refugees (UNHCR) issued a statement citing "horrific violence against civilians ... including assault, targeted killing, mutilation, looting and burning of property", stating that "several civilians have been hacked to death, including women and infants", and that "there are reports that many young men, aged between 17 and 30, have been arrested on suspicion of siding with the opposition".[25] It has further noted its concern about "an estimated 100,000 people reportedly trapped in Yei town in South Sudan, and continued reports of road blocks hindering travel to the borders".[26]

33. In September, the South Sudan protection cluster[27] described reports of unlawful detention and imprisonment in areas around Yei.[28] It noted in October that "reports of detentions and disappearances of young men continue to cause fear".[29] The Panel interviewed three young people from Yei County who described having been threatened and harassed by government actors on suspicion of supporting the opposition. One refugee interviewed by the Panel claimed to know approximately 35 men who had been detained at unknown locations by SPLA since mid-July.[30]

34. There have also been numerous reports of conflict-related sexual violence as women return to their homes seeking food.[31] One refugee from Lainya County told the Panel about witnessing the rape of his sister and another 20-year-old woman by forces affiliated with SPLM/A in Government. Another witness described seeing a woman being raped by uniformed men and the bodies of several children as he fled from Juba to Uganda through the Yei area in July.[32] According to a confidential United Nations source, on 19 September, five SPLA soldiers reportedly abducted, raped and killed a 17-year-old girl and two women who were going to a local market in Yei County.

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[24] See Office for the Coordination of Humanitarian Affairs, "Inter-agency rapid needs assessment report Yei, Central Equatoria (6-8 September 2016)", available from http://reliefweb.int/sites/reliefweb.int/files/resources/160923_yei_irna_report.pdf.

[25] Available from www.unhcr.org/57ee25224.html. Also on 10 October, UNMISS issued a statement in which it expressed extreme concern about the situation in Yei, noting that it had received "deeply disturbing reports of horrific violence perpetrated against innocent and vulnerable civilians, including women and infants". See https://unmiss.unmissions.org/unmiss-statement-yei-call-immediate-cessation-hostilities.

[26] See the UNHCR South Sudan regional emergency update, covering the period 16-30 September 2016, available from http://data.unhcr.org/SouthSudan/regional.php.

[27] The South Sudan protection cluster coordinates humanitarian protection activities on community protection, gender-based violence, child protection, protection of civilians, rule of law, mine action and land issues across South Sudan. Based in Juba, it is coordinated by UNHCR and the Norwegian Refugee Council. See www.humanitarianresponse.info/en/operations/south-sudan/protection.

[28] See the protection cluster update on the Juba crisis and the expansion of the conflict, dated 16 September 2016, available from www.humanitarianresponse.info/en/operations/south-sudan/document/south-sudan-protection-cluster-situation-update-16092016.

[29] See the protection situation update on Yei and the surrounding area, dated 7 October 2016, available from www.humanitarianresponse.info/en/operations/south-sudan/document/protection-cluster-update-yei-and-surrounding-area-7-october-2016.

[30] Confidential interview with a refugee from Juba in Nairobi, September 2016.

[31] Confidential interviews with United Nations sources in Kampala and Nairobi, September and October 2016.

[32] Confidential interview with a refugee from Juba in Nairobi, September 2016.

35. Similar incidents of violence against civilians are allegedly occurring in Eastern Equatoria. For example, a witness interviewed by the Panel in Kampala in October stated that he had seen seven unarmed civilians being summarily executed in Torit on 30 July. The Panel interviewed another refugee that same month who had been working in the town of Nimule, Magwi County, and had witnessed eight men being attacked by government armed forces; allegedly only one survived.[33] A confidential United Nations source told the Panel that SPLA troops deployed to Pajok, Ayaci and Palwar in Magwi County had looted shops and houses, occupied schools, raped women and arrested men on 3 October.

36. An assessment team of United Nations and humanitarian agencies that visited several locations in Torit County from 17 to 23 August determined that the population had "been significantly affected by recent violence, which has manifested in direct violations including sexual violence, harassment, use of community facilities by armed elements, and looting, and indirectly in death during flight, family separation, restricted movement, and widespread psychosocial stress".[34] It further noted that increasing insecurity was disrupting agricultural activities in Eastern Equatoria, considered the country's "green belt" and a main food-producing region, which would have a significant impact on food security nationwide.[35]

C. Implementation of the Agreement

37. The fighting in July has derailed even the minimal progress achieved in implementing the Agreement. As noted by the Chair of the Joint Monitoring and Evaluation Commission, Festus Mogae, in his address at the plenary meeting of the Commission on 19 October, "the fighting has disintegrated all the transitional security arrangement mechanisms, such as the [Joint Military Ceasefire Commission], the [Joint Operations Centre] and the [Strategic Defence and Security Review Board] and what little that had been accomplished has been lost". The inclusivity of these institutions has been compromised because SPLM/A in Opposition representatives who were appointed by Machar have been replaced by those affiliated with Taban Deng Gai. The establishment of the Transitional National Legislative Assembly and the approval of cantonment sites in greater Equatoria and greater Bahr el-Ghazal appear to constitute the only apparent progress that the Transitional Government of National Unity has made towards the implementation of the institutional requirements of the Agreement, yet both moves remain contested, with SPLM/A in Opposition and others deeming them illegitimate.

38. On 4 October, Malong oversaw the graduation of 5,000 new SPLA troops in Aweil in a move that contravened the security sector reforms stipulated in the Agreement.[36] He commended the SPLA commanding officers, Generals Jok Riak

[33] Confidential interview with a refugee from Magwi County in Kampala, October 2016.

[34] Available from http://reliefweb.int/sites/reliefweb.int/files/resources/Multi-Sector%20Rapid%20Needs%20Assessment%20Report%20-%20Torit%20County%20201608.pdf.

[35] Care, "CARE finds dire humanitarian situation in previously unaffected areas of South Sudan", press release, 13 October 2016. Available from www.care-international.org/news/press-releases/care-finds-dire-humanitarian-situation-in-previously-unaffected-areas-of-south-sudan.

[36] See Agoth Abraham, "5000 soldiers graduate in Aweil East", Gurtong, 4 October 2016. Available from www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/19905/5000-Soldiers-Graduate-In-Aweil-East.aspx.

and Santino Wol (who were both sanctioned by the Committee on 1 July 2015), on their efforts to recruit these forces from the local community. Given the difficulties faced by the government in paying the salaries of troops (see sect. V), the additional soldiers will only add to the financial problems.

39. The disproportionate recruitment of soldiers from Aweil — Malong's home area — complicates any serious effort to pursue security reforms and causes instability, given that many in SPLA view such recruitment as an effort by Malong to change the tribal composition of the army to enhance his control and marginalize perceived rivals and other tribes.[37] A number of senior military and political figures in South Sudan, both governmental and opposition, have indicated to the Panel their concerns about potential instability in Juba resulting from factional infighting between Malong and rival Dinka elements, including Koor, in the event of a contested succession to Kiir. For example, rumours about Kiir's ill health, widely reported in the press and on social media in mid-October, led to escalated tensions over a 24-hour period that eased only after Kiir made a series of public appearances.[38]

D. Threats to civil society

40. The operating environment for South Sudanese civil society has narrowed considerably as a result of the policies and actions of SPLM/A in Government, which have involved both an increase in onerous bureaucratic restrictions and overt intimidation. The result has been the obstruction of the reconciliation and political processes described in paragraph 9 of Security Council resolution 2290 (2016). As one civil society representative noted to the Panel, the "time for dialogue has come to an end as this government is not interested in talking"; similar sentiments have been echoed by other civil society activists.[39]

41. The adoption by the Transitional National Legislative Assembly, controlled by Kiir, of the Non-Governmental Organizations Act and the Relief and Rehabilitation Commission Act in February and the subsequent promulgation of the non-governmental organization regulations in March laid the foundation for more intrusive interference in civil society activities by SPLM/A in Government. The Non-Governmental Organizations Act established a new legal framework for non-governmental organizations, while the Relief and Rehabilitation Commission Act established the regulatory body that has the mandate to implement the Non-Governmental Organizations Act.

42. Both acts include provisions that do not conform to international best practices, contrary to the Agreement.[40] For example, the Relief and Rehabilitation Commission Act provides the Commission with the power to, among other things, "direct deployment of non-governmental organizations to areas of needs in South Sudan"

[37] Confidential interviews with: four high-ranking SPLA officers conducted between March and October 2016.

[38] An example of the media reporting on this incident can be found at http://eastafricamonitor.com/salva-kiir-not-dead-south-sudanese-government-insists/.

[39] Confidential interviews with South Sudanese civil society representatives in Kampala, October 2016.

[40] According to an analysis of the legislation carried out by the International Center for Not-for-Profit Law.

(sect. 7 (3)), irrespective of whether the organizations have the ability, knowledge, resources or capacity to work in those environments. The Non-Governmental Organizations Act stipulates that all non-governmental organizations are required to "agree upon" their areas of operation with the government (sect. 9 (b) (v)), denying them the ability to determine their own objectives and activities.

43. The acts and regulations have also negated the oversight role that the Ministry of Humanitarian Affairs and Disaster Management historically exercised over the Relief and Rehabilitation Commission in advance of that ministry coming under the management of SPLM/A in Opposition, pursuant to the Agreement. The Relief and Rehabilitation Commission regulations themselves were signed and approved by the then outgoing Minister of Humanitarian Affairs and Disaster Management, Awut Deng Acuil. Consequently, SPLM/A in Government effectively retained control of the Commission after the formation of the Transitional Government of National Unity.

44. Civil society has come under even more pressure since July when the Relief and Rehabilitation Commission began to invite non-governmental organizations to come forward with their applications for renewal.[41] Under the Non-Governmental Organizations Act, all non-governmental organizations had to reregister with the Commission.[42] These applications could be rejected by the Commission Registrar if the applicant's intended activities contravened the principles[43] contained in section 6 of the Act, which have not been clearly defined and therefore leave much room for arbitrary application of restrictions and inconsistent fees and processes, as well as for threats and intimidation.[44]

45. The Panel has received reports that the Relief and Rehabilitation Commission has threatened to withhold renewals or revoke registrations if organizations do not forfeit their assets to the Commission on demand, based on specific provisions in the Non-Governmental Organizations Act and the associated regulations. As at the time of the submission of the present report, at least four non-governmental organizations had had their renewal as civil society organizations initially rejected or threatened with rejection owing to suspicion of the "political" nature of their activities

[41] Originally, the Non-Governmental Organizations Act had set the deadline for renewal of registration as 10 May (within three months of the Act's entry into force). This deadline was postponed indefinitely.

[42] Under section 9 (c), a non-governmental organization is prohibited from operating in South Sudan "unless it has been duly registered with the Commission". The Act violates the right to freedom of association, under the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, by mandating that all non-governmental organizations register. In addition, on the basis of information obtained by the Panel, the now infamous "blacklist of 40 organizations" actually referred to a list of all organizations that were required to reregister in accordance with the Act, rather than a list of non-governmental organizations being specifically targeted on account of their activities.

[43] These principles include "fairness in selection of geographical areas for allocation of projects", "accountability to beneficiaries, donors and relevant public institutions", "sustainability of programmes", "participation by local communities and beneficiaries" and "respect for the sovereignty of the Republic of South Sudan".

[44] According to the International Center for Not-for-Profit Law. Also confirmed in multiple confidential interviews with national and international civil society organizations.

and were subsequently advised to register as political parties, demonstrating the particular pressure faced by civil society actors engaged in advocacy.[45]

46. Reports from numerous civil society actors, international non-governmental organizations and journalists have described the expanding involvement of the National Security Service's Internal Security Bureau, led by Koor, in matters relating to civil society organizations. In line with the National Security Service bill of 2015, the National Security Service has unrestrained authority to detain suspects, monitor communications, conduct searches and seize property without judicial oversight. The Panel is continuing to investigate numerous reports that the National Communication Authority and the National Security Service have visited non-governmental organization facilities, inspected telecommunications equipment and demanded "fees" for the organizations to be able to continue to operate.

47. Civil society activists who met the Security Council during its visit to Juba in early September have also been targeted. The Panel has confirmed that at least three people were directly threatened by the National Security Service for having attended the meeting. The actual number may be higher.

III. Procurement of arms

48. The Panel is continuing its investigations into arms transfers into South Sudan, consistent with its mandate.

49. In a meeting with the Panel on 28 September, the First Vice-President, Taban Deng Gai, refuted the presence of L-39 jets in South Sudan, which the Panel had documented with supporting evidence, including photographs and eyewitness accounts, in its report to the Security Council that month (S/2016/793). During the same meeting, he offered the opportunity to the Minister of Defence and Veterans' Affairs to provide further information on the jets, but the latter declined to do so.

50. The Panel has been provided with preliminary information on the weapons that the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo took from the combatants who accompanied Machar into the Democratic Republic of the Congo in August 2016. The sources of the weapons are consistent with those previously documented by the Panel as having been procured in South Sudan, both before and after independence, including weapons and ammunition manufactured in the Sudan, China, the United States of America, Israel and various Eastern European countries.

51. One weapon of note among the arms documented is a Micro Galil rifle manufactured by Israel Weapon Industries, bearing serial number 36100549. This is the third weapon of its type identified by the Panel, with two others (serial numbers 36100566 and 36100588) having been documented in Upper Nile in 2015. Each of the weapons was, according to interviews with SPLM/A in Opposition members, taken from South Sudanese government stocks either through battlefield capture or

[45] For example, the Community Empowerment for Progress Organization received a government letter ordering the organization to shut down within two weeks or be considered "illegal". See Justin Lynch, "South Sudan activists say intimidated for meeting diplomats", Associated Press, 8 September 2016, available from http://bigstory.ap.org/article/2731bcaf514a48d29dc9fe582f497748/south-sudan-activists-say-intimidated-meeting-diplomats.

by defectors. According to information provided to the Panel by the manufacturer, as noted in the Panel's report of January 2016 (S/2016/70), the three weapons are from a batch sold to the Ministry of Defence of Uganda in 2007. There is no provision in the end user certificate for their transfer to South Sudan. That the Panel has now identified three such weapons from this batch supports the conclusion that they are part of a larger group of weapons transferred from Uganda to South Sudan.[46]

52. In September, the Panel received information from Spain regarding weapon trafficking to South Sudan that the Spanish police had obtained as part of a continuing investigation into money-laundering and racketeering. The information details communications between an arms trafficking network based in Europe and the leadership of SPLM/A in Opposition in 2014, in which the latter had requested the delivery, through an intermediary in Senegal, of an extensive list of small arms, munitions and light weapons. Further investigations by the Panel suggest that this shipment was at least partially delivered.[47] The Panel is working with the Spanish authorities and other sources to further corroborate the origin of the weapons and track their use in South Sudan.

53. Also in September, the Panel received information and documentation from a confidential high-level South Sudanese source that, in July 2014, a shipment of small arms ammunition and 4,000 assault rifles had been delivered by Bulgarian Industrial Engineering and Management to the Ministry of Defence of Uganda. According to the documentation, Bosasy Logistics, a company registered in Kampala and described in previous reports by the Panel, including its report of January 2016 (S/2016/70), acted as an intermediary in the transaction. The weapons and munitions were subsequently transferred to South Sudan. While the Panel is further investigating this transaction, it notes that recent arms transfers from Uganda to South Sudan, as described in its report of September 2016 (S/2016/793), are likely to be using the same modality as the earlier transfers from 2014, with Bosasy Logistics and its Chairman, Valerii Copeichin, facilitating the sales.[48]

54. The Panel has received multiple reports from various sources of arms shipments entering South Sudan by road through Uganda and by airlift to Juba and Wau since May.[49] The content, according to two high-level sources with knowledge of the operations, was small arms and light weapons, ammunition and armoured vehicles. The Panel is in possession of a contract signed by SPLA in May 2015 for the provision of Panthera armoured vehicles valued at $7,187,500.[50] The company contracted to provide the vehicles, Egypt and Middle East for Development, was represented by an Egyptian national, Mohamed Atta Jad. The company is registered

[46] The Panel submitted a formal written request to the Government of Uganda in February for additional information regarding these weapons but has not received a response.

[47] Confidential interview with a senior opposition military officer involved in the procurement process.

[48] The Panel has received reports that Copeichin holds Moldovan citizenship.

[49] These shipments have been reported to the Panel in confidential interviews with several high-ranking SPLA officers, diplomatic representatives of a neighbouring country, a security official from a neighbouring country and the personnel of an international organization operating in South Sudan.

[50] The contract does not specify the quantity of vehicles purchased nor outline detailed technical specifications.

in Cairo.[51] The Panel is investigating the possible connection between this contract and the recent airlifts to South Sudan.

IV. Obstruction of and attacks against United Nations and humanitarian missions

A. Obstruction of and attacks against the United Nations

55. As described in the Panel's report of September 2016 (S/2016/793), the most senior members of SPLM/A in Government consistently demonize the United Nations. For example, on 13 September, Kiir delivered a lengthy public indictment of the United Nations for having evacuated Machar from the eastern Democratic Republic of the Congo, saying "so it is clear that the United Nations itself is not part of the solution" and "so the people who are now saying we are in a situation where the UN is seen as not neutral have genuine concerns".[52]

56. On 18 September, the United Nations Mission in South Sudan (UNMISS) issued a statement in reaction to accusations made by SPLM/A in Government that the Mission was fostering criminal activity and harbouring armed elements in the United Nations protection of civilian sites in Juba.[53] In mid-October, it issued another statement to reiterate the civilian nature of the sites.[54] Contrary to the government accusations, the biometric registration by the International Organization for Migration of internally displaced persons living in protection of civilian sites 1 and 3 in Juba — as at October 2016 — clearly demonstrates that the sites predominantly comprise women and children, not men of fighting age. Of 38,874 individuals, 8,283 (some 21 per cent) are men between 18 and 59 years of age. The remaining nearly 80 per cent of the population are women and at least 20,000 children, nearly half of whom are under 5 years of age.[55]

57. Pro-government elements also consistently use social media to agitate against the international presence in South Sudan, in particular the United Nations. A diplomat based at the South Sudanese embassy in Washington, D.C., Gordon Buay, and a South Sudanese journalist, Mading Ngor Akec Kuai, are among the most prominent figures who consistently use their social media accounts to propagate inflammatory statements against the United Nations presence, including the examples shown in figure II below (see annex II for additional examples):

[51] Letter to the Panel from the Permanent Mission of Egypt to the United Nations, 14 October 2016.

[52] See "President Kiir accuses UN of taking Machar's side for regime change", *Sudan Tribune*, 14 September 2016. Available from www.sudantribune.com/spip.php?article60221.

[53] Available from http://reliefweb.int/report/south-sudan/united-nations-mission-south-sudan-unmiss-responds-sudan-peoples-liberation-army.

[54] Available from http://reliefweb.int/report/south-sudan/unmiss-reminds-all-parties-respect-civilian-nature-poc-sites.

[55] See http://reliefweb.int/report/south-sudan/dtm-south-sudan-juba-un-house-poc-sites-biometric-registration-update-october.

Figure II
Screenshots of inflammatory statements using social media

Mading Ngor Akec Kuai
#UN evacuated rebel #RiekMachar. We are against #UN in #SouthSudan...they are a party to the conflict. They support rebellion, killings.
Share
72
Mading Ngor Akec Kuai
Dead on arrival approval! We will turn our backyard into a graveyard for the region. #UNMESSMustleave! #SouthSudan
Gordon Buay
Dr. Luka Biong needs to be extremely careful in the Senate hearing on Tuesday. Should he support the UN takeover of South Sudan for 10 to 15 years, the people of South Sudan will not be happy with him.
Let me remind Dr. Luka Biong that Pagan, Majak, Bakosoro, etc lost their Passports because they betrayed the independence of South Sudan. I hope he would not want to lose his Passport and live in exile like Edward Snowden.
Gordon Buay
Pagan, Majak and Bakosoro Passports have been cancelled since Monday. I am monitoring the demonstration of Pagan Amum in New York City aimed at calling for UN takeover of South Sudan.
Any South Sudanese who will attend that rally will lose his or her Passport immediately. Those South Sudanese who attend a rally of traitors will be treated like Edward Snowden and their future will be in a legal limbo.

58. Sustained, systematic violations of the status-of-forces agreement have continued, with 19 violations recorded in September alone. The vast majority were movement restrictions imposed against the United Nations, and all but one were directed by civilian and armed actors affiliated with SPLM/A in Government. SPLM/A in Government regularly prohibits UNMISS from patrolling in areas in which conflict has flared and human rights violations are being reported, impeding the Mission from implementing its mandate. For example, SPLA did not allow UNMISS to have access to the Yei area between April and October, notwithstanding the multiple attempts and public requests for access to verify the drastic deterioration of the security situation, coupled with numerous reports of human rights violations.[56]

[56] See the UNMISS statements dated 10 and 12 October 2016 on denial of access, available from https://unmiss.unmissions.org/unmiss-statement-yei-call-immediate-cessation-hostilities and http://unmiss.unmissions.org/unmiss-statement-increased-incidents-violence-south-sudan.

59. While on 14 October Kiir announced a committee to facilitate an improvement in movement and access for the United Nations and for humanitarian operations, as well as for the deployment of the regional protection force mandated in resolution 2304 (2016) within two weeks, as at the time of submission of the present report (28 October 2016), there had been no evidence to suggest any progress on these issues. On 19 October, the Minister of Cabinet Affairs, Martin Elia Lomuro, transmitted a letter to the President of the Security Council confirming the acceptance of Rwanda, Kenya and Ethiopia as the troop-contributing countries for the force. On 24 October, however, Kiir's spokesperson, Ateny Wek Ateny, publicly rejected those countries.[57]

B. Obstruction of and attacks against humanitarian missions

60. Since the conflict began in December 2013, at least 67 aid workers have been killed, 8 since the Panel submitted its report in September alone. The majority of those killed were South Sudanese. Most recently, three aid workers were killed in the space of seven days at the beginning of October. One was shot and killed in an ambush on a clearly marked non-governmental organization vehicle in Eastern Equatoria on 14 October, when a team from ZOA was travelling from Torit to a project site. The deceased was a 41-year-old agricultural officer. A second national staff member from a humanitarian organization in Akobo was killed on 8 October in unclear circumstances, and a national staff member of another non-governmental organization was killed in the same period during fighting in Budi, Eastern Equatoria.[58]

61. In the first nine months of 2016, more than 640 humanitarian access incidents were reported, including 81 in September alone. Of the 81 incidents, 59 involved violence against humanitarian personnel and assets, including a substantial increase in assaults, ambushes and armed attacks, with 11 incidents reported in September compared with 5 in August. Armed ambushes and attacks were mainly reported in Eastern Equatoria, Central Equatoria, Western Equatoria, Lakes and Western Bahr el-Ghazal.[59]

V. Collapse of the economy

A. Macroeconomic conditions

62. As at the end of October, the government had yet to demonstrate a commitment to sound economic governance, which, as described in the Panel's

[57] See "South Sudan again rejects neighbouring countries participation in RPF", Radio Tamazuj, 24 October 2016. Available from https://radiotamazuj.org/en/article/south-sudan-again-rejects-neighboring-counties-participation-rpf.

[58] See "OCHA humanitarian bulletin South Sudan", No. 16, 20 October 2016. Available from http://reliefweb.int/sites/reliefweb.int/files/resources/1601020_OCHA_SouthSudan_humanitarian_bulletin16.pdf.

[59] See Office for the Coordination of Humanitarian Affairs, "South Sudan: humanitarian access situation snapshot – September 2016". Available from http://reliefweb.int/sites/reliefweb.int/files/resources/september_access_snapshot_20161011.pdf.

report of September 2016 (S/2016/793), had further destabilized the security situation. The South Sudanese pound had continued to lose value, and the slumping currency rates had consequently boosted inflation to 682.1 per cent.[60] Since January, the consumer price index has increased by more than 500 per cent, peaking at 2,348 points in September.[61]

63. The Panel obtained data indicating that projected State budget expenditure for the 2016/17 fiscal year would exceed revenue by 149 per cent.[62] Consequently, the government has laid out a proposal for financial austerity and external borrowings, which incorporates recommendations made by the International Monetary Fund (IMF) after its mission of May.[63] The Chair of the Joint Monitoring and Evaluation Commission, in his address to the Commission on 19 October, said the following: "We commend the TGNU for the work that has gone into creating an ambitious budget, which has been commended by many analysts. Strong constraints on expenditures are central to the budget and a condition for stabilization." Progress towards the implementation of this strategy will indicate the government's seriousness in addressing the macroeconomic crisis.

64. The draft budget for the fiscal year 2016/17 is estimated to be 22.3 billion South Sudanese pounds, half of which is allocated to the security sector.[64] There is a risk that projected austerity measures in non-security sectors may foment instability, given that the urban part of the population will be hit by payroll cuts. Owing to the lack of financial transparency, the World Bank has denied the Ministry of Finance and Economic Planning any new project funding.[65]

65. Revenue for the 2016/17 budget was calculated on the basis of oil production of 120,000 barrels per day, which is the lowest rate of extraction since December 2013. There is no indication that Deng Gai's efforts in August to renegotiate the pipeline and transfer fees with Khartoum were successful, meaning that South Sudan will continue to pay $24.1 per barrel in fees to the Sudan, undercutting the revenue of the budget owing to volatile oil prices. The oil industry also shows no signs of recovery to the pre-war levels; the Unity fields were disabled in the early months of the war, and the continuing conflict will make it difficult to launch the long and technologically complicated process of restarting oil production.[66]

B. Qatar National Bank case

66. During its investigations into the sources of external financing in the light of the fact that most government expenditure is devoted to prosecuting the war, the

[60] See www.tradingeconomics.com/south-sudan/inflation-cpi.

[61] See www.tradingeconomics.com/south-sudan/consumer-price-index-cpi.

[62] Transitional Government of National Unity budget speech, October 2016.

[63] See Denis Dumo, "South Sudan seeks $300 million in external support for budget", Reuters, 29 August 2016. Available from www.reuters.com/article/us-southsudan-budget-idUSKCN1141CO.

[64] See "South Sudan budgets billions for army, military operations in 2016/2017", Radio Tamazuj, 18 October 2016. Available from https://radiotamazuj.org/en/article/south-sudan-budgets-billions-army-military-operations-20162017.

[65] Interview with World Bank representatives, 22 September 2016, Nairobi.

[66] See "South Sudan plans to resume oil production in Unity region", *Sudan Tribune*, 20 August 2016. Available from www.sudantribune.com/spip.php?article59981.

Panel acquired information indicating that, until February, the Qatar National Bank had provided two letters of credit to the government, totalling some $632 million. The money was used by the Bank of South Sudan to buy local currency at the fixed exchange rate of 2.96 South Sudanese pounds to the dollar. After the fall of oil revenue, the government was unable to meet the payment schedule, which was amended.[67] Following the dramatic shrinking of the foreign reserves and the continued decline of oil revenue in 2016, it is therefore unlikely that the Qatar National Bank will provide the government with further financing.

C. Oil-swap deals

67. Oil advances remain one of the few mechanisms available to the government to raise short-term funds. Under contracts with international oil companies, funds are advanced in forward oil-swap deals, which the government repays over a certain period at a negotiated interest rate.

68. Two companies, Trafigura Pte Ltd. and Addax Energy SA, have been at the forefront of these arrangements. Through its investigations, the Panel has obtained information that, between November 2015 and April 2016, Trafigura Pte Ltd. purchased 7 million barrels of Dar Blend crude oil.[68] The total revenue obtained by the government through these transactions was reported to be $125 million. The Panel also obtained data from the Ministry of Petroleum describing purchases from February to April 2016 of 1.2 million barrels of Dar Blend oil by Addax Energy SA from the government. The total revenue received from these transactions was reported to be $35 million.

VI. Implementation of the travel ban and asset freeze

69. The Panel has confirmed that a sanctioned individual, Peter Gadet, travelled from Khartoum to Nairobi in September, and remained in Kenya as at the time of submission of the present report.

VII. Recommendations

70. The Panel makes the following recommendations:

(a) That, to achieve the objectives of the Security Council stated in its resolution 2290 (2016), namely an inclusive and sustainable peace in South Sudan, the Committee designate high-level decision makers responsible for the actions and policies that threaten the peace, security and stability of the country, as defined in paragraphs 9 and 10 of the resolution, including those who are responsible for serious crimes under international humanitarian and international human rights law and who have the power and influence either to perpetuate or end the war. The Panel provided a confidential annex to the Committee with the names of such individuals in January 2016;

[67] IMF official response to the Panel, 21 July 2016.

[68] The actual purchase price differed for each delivery, ranging from $18.30 to $32.60 per barrel.

(b) That, to prevent the further destabilization of the security situation in South Sudan and in particular the continuing large-scale human rights violations that the Panel has determined are directly related to the supply of arms and ammunition to non-State actors and groups by all sides, as well as to prevent the further transfer or use of heavy equipment, the Security Council impose an embargo on the supply, sale or transfer to South Sudan, from or through the territories or by the nationals of all Member States, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, and technical assistance, training, financial or other assistance relating to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of any form of training by foreign forces or armed mercenary personnel whether or not originating in their territories. The Panel further maintains its recommendations for the modalities for the implementation of such an embargo as outlined in paragraphs 84 (d), (e) and (g) of its interim report for 2015 (S/2015/656);

(c) That, to further compliance with the existing designations,[69] the Committee write to the banking regulatory authorities of Kenya and Uganda, reiterating the obligations under Article 41 of Chapter VII of the Charter of the United Nations to comply with the asset freeze established under resolution 2206 (2015) and extended under resolution 2290 (2016), and issue a press release encouraging State and commercial banks in Kenya and Uganda to implement the freeze.

[69] See https://scsanctions.un.org/fop/fop?xml=htdocs/resources/xml/en/consolidated.xml&xslt=htdocs/resources/xsl/en/southsudan.xsl.

Annex I: Letters from Tribal Communities

An open letter to the Equatorian Community: Why are you turning your region into the Greater Upper Nile?

Posted: October 4, 2016 by **PaanLuel Wël** in **Commentary**, **Contributing Writers**, **Opinion Articles**, **Opinion Writers**

By Bior Raad, Juba, South Sudan

8-members-of-bor-dinka-community-killed-along-juba-yei-road

October 4, 2016 (SSB) — It is absolutely indisputable that Equatorians are delighted in or feeling pleasure from inhumane slaying of Dinka. It is unclear whether these sporadic killings came out of the meeting as a resolution to wipe Dinka out of South Sudan or could it be deliberately done to provoke Dinka to horrifically retaliate. Our silence all this long was to maintain a good relationship in order to live in a society where we are never strangers to our fellow brothers and to each other. We may have differences and quarrels, but these are brotherly quarrels that cannot divide us and destroy our togetherness.

What do you think if Dinka take part in flashing out sons and daughters of Equatoria working in their areas? Not only that, also organise the armed youth groups to be stationed on various roads, charged with duties to kill other non-Dinka tribesmen. By the way, Dinka has the capacity to turn this country into anarchy and cleanse elements that support terrorism. It is sad to receive hourly report that the dear ones have been murdered on their way to Uganda, Kenya and even within territories of Equatoria.

Dinka are always nervous when travelling on road simply because of those people who set up barricades on trunk roads instructed by their chiefs and politicians to search for 'MTN' as they referred to Dinka. No one in this ruthless time can risk to sleep in the car. Everyone is alert keeping a close watch at next seated Equatorian passenger. Most of them are the ones setting up cars to fall into ambush.

Seeing this happen evokes anguish and anger in someone like me who lost relatives and friends few days ago in Kajo-Keji road ambush that claimed the life of eleven innocent civilians.

Sudan by then has been in a long devastating civil war aimed at secession but such barbaric actions have never been reported. Khartoum, our great enemy by then did not devised such inhumane killing to war captives. I have

never heard Equatoria elders and leaders coming out publicly to denounce these ethnics' targeted killings as well as urging their communities to cease this behaviour. It means that they are in support of it.

It troubles my mind to understand what we have done to Equatorians and the rest of South Sudanese who hate Dinka for no reason. There is nowhere in Equatoria or elsewhere that you will never spot bones of Dinka' son who sacrificed his life for the sake of this country. Where were those who today say they don't want Dinka in their areas?

Matter of fact. We the youth of Jieng are tired of this act and as per now, we urged all Equatorians and other tribes who have declared war against us to leave our areas before designated dateline elapses because we will not fold our hands, seat back and watch our relatives being slaughtered every day.

This is just to inform everyone that Dinka has a culture of war where people confront themselves in the broad daylight. Come out and declare it as a war against Dinka.

We have refused to lend our ears to this matter for long and it has been used against us as our cowardice. Enough is enough. This time, we will not tolerate nonsense. If we can take vengeance among ourselves, how hard is it to let innocent Equatorians pay for the action of their brothers. The rest of the communities who are happy with this tribal killings will also test the bitterness of their actions. Whoever is found will be consume by the wrath of angry avengers the day it will start though still remain concealed.

This is the time for eye for an eye. If the state of social disorder is what you want, we have declared it and we shall see who will desert this country to who? Most of you who have never conducted funerals of gunshot deceased, will this time conduct multiples of them. It is absolutely a fool of ourselves to treat enemies of peace with white teeth exposed and subsequently, they turn out to be the pain in ass.

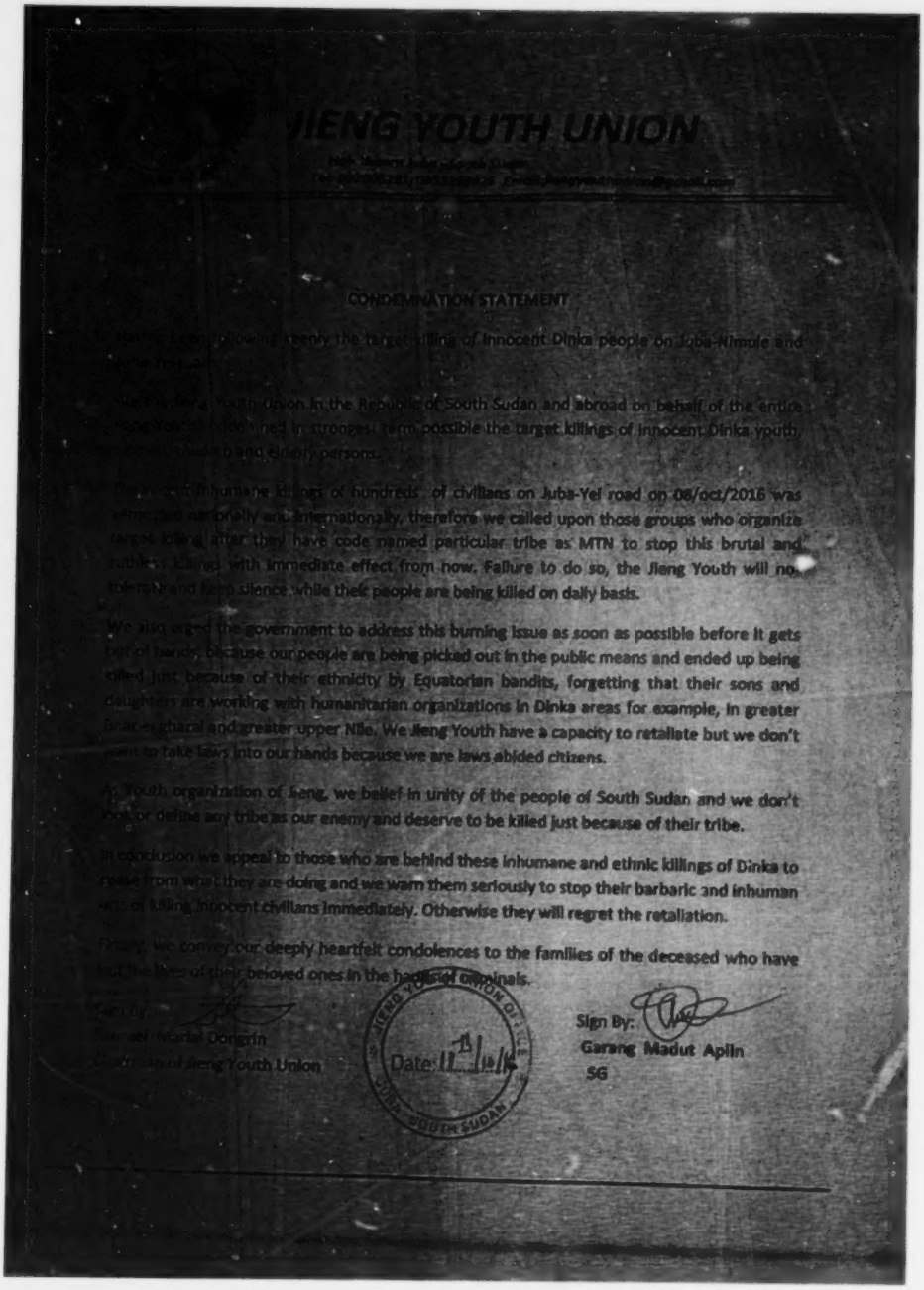
Why would you scapegoat your grievances that need government attention to the innocent travellers? Your complaint of Dinka cattle destroying your farms was exceptional and government acted immediately to drive back cattle to their original places. What happened again that you are killing Dinka travellers? Are they also trespassing your farms?

Jieng youth is totally disappointed with this inhumane behaviour. To be honest, we have come up with the resolution that we have to embark on such inhumane killings. We will also target enemies of peace in and beyond our areas. We know some tribes in Equatoria who have involved in these killings and we are not going to spare them, our action will be enormous.

Innocent civilians who fled their homes to refugees' camps because of food insecurity narrates senseless and false stories that Dinka want to kill us. A story that implicate Dinka and the UNHCR get interested in these fabricated life stories. Isn't this selling out? If we don't learn to be honest to ourselves, this country will not accommodate us. Change your negative attitudes towards Dinka otherwise we will not wait to be kill in the same way.

The write is the Senior Member of Jieng Youth Union in Juba and can be reached on biorraad@gmail.com

Posted Online: https://paanluelwel.com/2016/10/04/an-open-letter-to-the-equatorian-community-you-are-turning-your-region-into-the-greater-upper-nile/



JIENG YOUTH UNION

CONDEMNATION STATEMENT

Having heard following keenly the target killing of innocent Dinka people on Juba-Nimule and

We, Jieng Youth Union in the Republic of South Sudan and abroad on behalf of the entire Jieng Youth, condemned in strongest term possible the target killings of innocent Dinka youth, women, children and elderly persons.

The inhumane killings of hundreds of civilians on Juba-Yei road on 08/oct/2016 was condemned nationally and internationally, therefore we called upon those groups who organize target killing after they have code named particular tribe as MTN to stop this brutal and ruthless killings with immediate effect from now. Failure to do so, the Jieng Youth will no tolerate and keep silence while their people are being killed on daily basis.

We also urged the government to address this burning issue as soon as possible before it gets out of hands, because our people are being picked out in the public means and ended up being killed just because of their ethnicity by Equatorian bandits, forgetting that their sons and daughters are working with humanitarian organizations in Dinka areas for example, in greater Bahr-el-ghazal and greater upper Nile. We Jieng Youth have a capacity to retaliate but we don't want to take laws into our hands because we are laws abided citizens.

As Youth organization of Jieng, we belief in unity of the people of South Sudan and we don't look or define any tribe as our enemy and deserve to be killed just because of their tribe.

In conclusion we appeal to those who are behind these inhumane and ethnic killings of Dinka to cease from what they are doing and we warn them seriously to stop their barbaric and inhuman acts of killing innocent civilians immediately. Otherwise they will regret the retaliation.

Finally, we convey our deeply heartfelt condolences to the families of the deceased who have lost the lives of their beloved ones in the hands of criminals.

Sign By:
Garang Madut Aplin
SG

Date: 11/10/16

To Healthnet.

To: All Equatorians in our area

10/14/16

Retaliation Attack Began

We, the Angry Youth of Greater Northern Bhar El Ghzal States are bringing to your attention the organizations that are working in the area that we do have any problem with you. Our build up problem is with Equatorians who are working here and with you. We have given them peaceful sanctuary here in our area while their people in Equatoria are viciously butchering our innocent people for many years. For how should we sit with our hands folded? The revenge attack is about to explode and it will be ugly nasty to our brothers and sisters from Equatoria region. We give you all the constancy, but you paid us the bad token instead

The Angry Youth sat yesterday to careful deliberate and discuss on the next move since the final dateline given to the Equatorians working and living in the area was expired. We have raised again the number of serious issues in our first letter about killings and atrocities committed against our innocent civilians living and moving in/on Equatorians roads. Since 2013, the Equatorians has been committing many atrocities and gross human rights violations by killing ethnic community of Dinka origin. This will never continue uncheck.

Also, the killing of more than 30 unarmed innocent Dinka civilians mainly, women and children last week on Juba- Yei and juba- Numeli roads has exacerbate our intentions for revenge against any other Equatorians living in our area. The same Equatorians we are giving peaceful accommodations are the same people brutally killing and lynching our people in Equatoria region. We cannot keep silence any more. We MUST take a quick action and revenge every life lost. Our innocent civilians in Equatoria have endured so must and we cannot take it anymore. The innocent women and children your people killed do not know President Salva Kiir Mayardit nor they are in Kiir's government. Your people killed them because they belong to Dinka. We will also kill you because you belong to Equatoria, period.

Our silence for so long does not mean we are happy with what is going on in the Equatoria region. The government you are engaging now and claiming to give you 100% security guarantee is the same government who is letting us down. They are lying to you. How are they going to give you 100% security guarantee when there is no armed security at the gate and police or armed escort to the fields? We are monitoring your communications very closely. Let them keep lying to you. We are at your throats and we will react John Rambo's Movies scene on you.

In light with all the above mentioned facts, it was agreed that we are going to take a quick revenge attack against Equatorians anywhere and any place from now on. We will find you and kill you. We will despicably and barbarically kill you. We will also humiliate you like it is never done before. We will gruesomely cut you like what your people did to our mothers and children on Equatoria roads. Retaliation attack MUST begin right now! ONE NATION, ONE PEOPLE is DEAD. The consequences will graphically and horrifically huge.

By Angry Youth of former Northern Bhar El Ghazal

EQUATORIAN YOUTH WARNING: "IT IS TIME FOR DINKA TO LEAVE EQUATORIA AND NOW"

FROM Equatorian Youth

TO All Dinka in Equatoria

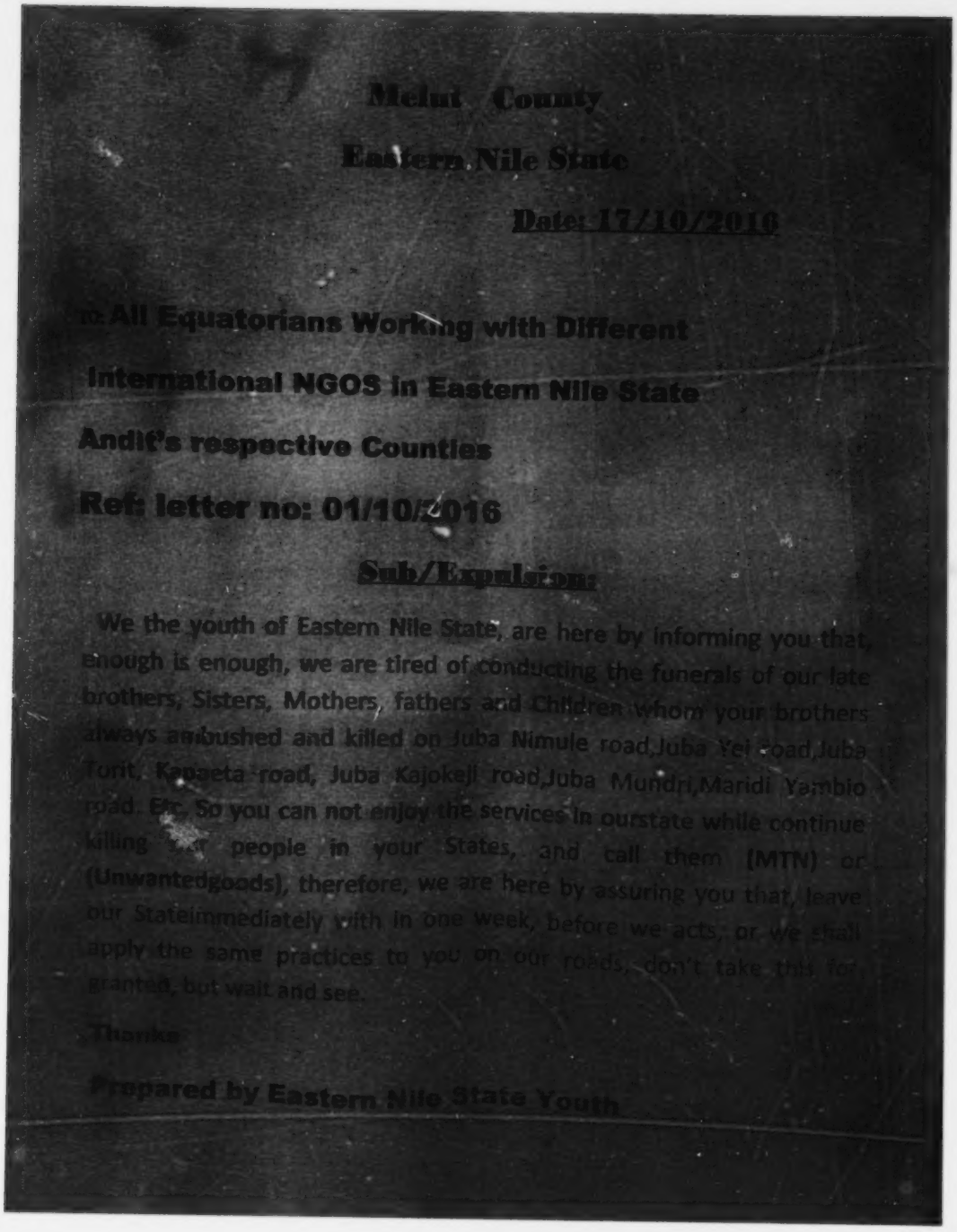
Date: 16th October 2016

Oct 17, 2016(Nyamilepedia) — The Equatoria Youth makes this communique in response to Dinka government threats, which were broadcasted on the SSBC, and preached by the Dinka politicians on the internet and social. Please read carefully:

- The Equatoria Youth takes seriously the threat by Dinka "Angry Youth" to commence immediate killing of Equatorians living and serving in Dinka land, according to their letter dated 14th October 2016;
- The Equatoria Youth Condemns the killings of all and taking the lives of any innocent civilians in our nation, the South Sudan;
- Notes the injustices perpetrated by the Dinka upon the people of Equatoria, as it has been shown recently in the Dinka Plan against the non-Dinka, including Equatoria; masterminded by Dinka Council of Elders; implemented by the tribal Government, presided upon by Kiir that sought to enshrine Dinka supremacy over other tribes;
- Notes that "One Nation, One People" is not only dead, but also it never existed; for this has always been a government that preferentially treated Dinka and shamefully a Dinka centric government. But more importantly adversely affects all the other 63 ethnic groups for the benefit of the Dinkas.
- Determines that the unwelcomed presence of Dinka in Equatoria must end, until such a time when a formula of equal citizenship and co-existence has been agreed;
- Reminds the Dinka that the "gun equations" has now changed, we have the means and the willingness to respond and decisively. That there are more Dinkas in our lands than our people in their lands, thus there is no lack of Targets should the Dinka choose to continue in the same path their Dinka Centric government has taken even before Kiir unleashed death on the Nuer and ever since, murdering our women and children in pretense of killing rebels.
- Sternly warns that any Eqautorian lives taken in Dinkaland or anywhere shall receive shift and determined response that every Dinka in the territories of Equatoria will come to know, from us the youth, in every inch of this great Equatorian land.
- DECIDES THAT DINKA MUST LEAVE EQUATORIA IMMEDIATELY.
- Equatoria has taken enough loses, **are fed up and enough is enough.**

The Press release was submitted to Nyamilepedia on behave of Equatoria Youth by Justin S Kwaje. For more information give a shout at j.kwaje@aol.com

Online http://www.nyamile.com/2016/10/16/equatorian-youth-warning-it-is-time-for-dinka-to-leave-equatoria-and-now/, accessed 22 October 2016.



Melut County

Eastern Nile State

Date: 17/10/2016

To:All Equatorians Working with Different

International NGOS in Eastern Nile State

Andit's respective Counties

Ref: letter no: 01/10/2016

Sub/Expulsion:

We the youth of Eastern Nile State, are here by informing you that, enough is enough, we are tired of conducting the funerals of our late brothers, Sisters, Mothers, fathers and Children whom your brothers always ambushed and killed on Juba Nimule road,Juba Yei road,Juba Torit, Kapoeta road, Juba Kajokeji road,Juba Mundri,Maridi Yambio road. Etc. So you can not enjoy the services in ourstate while continue killing our people in your States, and call them (MTN) or (Unwantedgoods), therefore, we are here by assuring you that, leave our Stateimmediately with in one week, before we acts; or we shall apply the same practices to you on our roads, don't take this for granted, but wait and see.

Thanks

Prepared by Eastern Nile State Youth

MTN: Who's behind the picking and killing of Dinka MTN?

Oct. 18 **Press Releases** **8 comments**

PRESS RELEASE FROM THE OFFICE OF JIENG UNION (DINKA) IN EAST AFRICA

This press release comes from the office of Jieng Union in East Africa. Jieng Union was formed in 2014 to represent the interest of Dinka people and act as their voice where there is a threat to their existence wherever they are.

Thus, acting on behave of the Dinka people, we, the leaders of Jieng Union in East Africa have noted with great and grave concern as it has come to our attention based on concrete evidence that the war in South Sudan is no longer against the government but against Dinka people because of their ethnicity.

As a matter of fact, which is supported by the evidence of the eye-witnesses and survivors, Dinka people are being targeted by certain organized groups whose intention is to eliminate them in South Sudan. The clear intention of these groups is shown by the use of the word "MTN".

MTN is a well known South African Telephone Network that stands for Mobile Telephone Network, whose slogan is "Everywhere You Go" because it is found almost in all countries in Africa.

Therefore, the organized groups mentioned in the third paragraph above are using the slogan of the MTN, "Everywhere You Go" to refer to the Dinka people since they are also found everywhere in South Sudan, hence, derogatorily referring to them as "MTN."

It is not a surprise that since the adoption of the word "MTN" which has now become synonymous with the word "Dinka people", the killings of Dinka people has increased to disproportionate level.

Dinka people are being targeted everywhere, and in particular, on major roads in South Sudan. These major roads include: Juba-Yei Road, Juba-Mundari Road, Juba-Terekeka Road, Juba-Bor Road, Juba-Torit Road, Juba-Nimule Road, Juba-Kecji-Kecji Road and Yei-Kaya Road. The Vehicles travelling on these major roads are frequently stopped by these groups as already mentioned above, who then search those vehicles to find out whether Dinka people are on them. Once a Dinka person or Dinka people are found on board, they are ordered to go down from the buses or taxis and then killed without any strong reasons but because they are Dinkas.

As a result, many Dinka people have been killed because of their identity and ethnicity. What makes us to conclude that they are being targeted is the fact that once these groups stop the vehicles, they ask passengers to show their identity cards and when it is found out that the holder of the identity card is a Dinka or they are Dinkas, they are ordered to go down from the buses or taxis and immediately executed and dumped on roadsides.

For instance, on 30th of September 2016, 11 Dinka students who were undertaking training in nursing course at Kecji-Kecji in South Sudan were killed on the road from Kecji-Kecji to Juba because of their identity. As the evidence suggested and through the use of the "MTN," they were singled out among other passengers and mercilessly murdered because they were Dinkas.

Again, on the 2nd of October, 2016, three (3) traffic Dinka police officers were killed in cold blood at Aruu Junction because of their identity.

On October 8, 2016, about 200 Dinka people, mostly women, children and elderly who were travelling from Yei to Juba were massacred in cold blood simply because they were Dinka members. On the same day as the killing was going on, on Juba-Yei Road, Dinka people who were staying at Rom Village at Meluth County in Eastern Nile State of South Sudan were killed and their houses burned down because they were Dinka people.

What makes the killings mentioned in the above paragraph even worse and heartbreaking was the way they were killed. They were killed and after that the dead bodies were mutilated and finally burned beyond recognition. It was horrific and gruesome killing and at the same time inhuman.

There are a lot of evidence substantial the existence of these horrible killings has already taken away hundreds of lives of Dinka people who are killed through target killings since the beginning of 2016 because of their identity and ethnicity.

Apart from killings, there are also evidences which show that the abovementioned groups are organized with the sole mission to use all means to eliminate Dinka people. For instance, these groups have now resorted into checking the names of Dinka people in the telephones of non-Dinka people and if the Dinka names are found in mobile telephones of non-Dinka, then the person whose telephone contain the name of the Dinka is detained and beaten because he has the name of Dinka people in his or her telephone.

In addition, these groups also check the logbook of the vehicle if the logbook is registered in name of the Dinka, then, the car, taxi or the bus is burned. This explains why Eco bus registration number SSB 154A which was burnt to ashes. According to the report, the attackers identified themselves as enemies of the Dinka people, fighting to take over government in South Sudan. They accused the Dinka and Ugandans of supporting the government of President Salva Kiir.

So their rationale of killing Dinkas is to eliminate of all of them because they are supporting the government, thus indiscriminately killing all children, women and elderly contrary to the international humanitarian law as we shall explain latter in this work.

We have, therefore, come to the conclusion that killing of Dinka people which include children, women and elder is not because of their support to the government but because of their ethnicity and identity.
Thus, the purpose of this press release is threefold: first of all, to condemn these barbaric killings in the strongest term possible, secondly, to bring to the attention of the international community that Dinka people are being targeted because of their ethnicity and therefore are entitled to self-defense unless the groups behind the killings stop the activities of extra-judicial killings with immediate effect, and finally, to warn these groups to unconditionally stop killings our people.

Condemnation of targeting killings against Dinka people
We, the leaders of Jieng Union in East Africa have condemned these barbaric killings of our people in the strongest terms possible. We would like to bring to the attention of these groups behind the killings of our people to the fact that the international human rights law, regional human rights law and South Sudan national law give the Dinka people the rights to life, security, integrity of persons and the rights to self-defense.

Thus, killings Dinka people due to their ethnicity violates the prohibition on the arbitrary deprivation of the right to life, which they enjoy under the law. In addition, these groups must know that during a non-international armed conflict, directing attacks against civilians not directly participating in hostilities, including extra-judicial killings is the violation of Additional Protocol II and Common Article 3 of the Geneva Conventions, which prohibits all violence directed against them including murder, mutilation, cruel treatment and torture.

We condemn these groups of people who target our Dinka people because of their ethnicity. Their actions of killing Dinka people who are innocent civilians based on their ethnicity amount to discriminatory diverse treatment, which is a violation of the international human rights law that prohibits discrimination. In addition, it also amounts to the violation of common Article 3 of the Geneva Conventions and fundamental guarantees set forth in Article 4 of the Additional Protocol II.

We further strongly condemn the deliberate, ethnicity-based attacks on our people, which are widespread and systematic. The violence being directed against Dinka people is clearly defined by its scale and method, which indicates that they are being targeted because of their ethnicity. For instance, killings of our people is not random,

accidental or isolated acts of violence, but rather it involves a high level of preparation that we believe it follows a certain pattern as indicated by the use of the word "MTN" to refer to Dinka people for easy identification and targeting.

We must stress that target killings and other acts of violence against Dinka people can constitute serious violations of international humanitarian law. Moreover, depending on the circumstances, which are met in this case, if established before the Court of law, such acts also amount to the violation of Article 13 (2) of Additional Protocol II.

We condemn and tell whoever is behind the killing of Dinka people that what they are doing is collective punishment, which is a reprisal directed against them due to their perceived support to the government, which is contrary to the international human rights law. The attacks on Dinka people who are accused of supporting the government of South Sudan can constitute a collective punishment which is in contravention of Article 4 (2) (b) of the Additional Protocol II.

Therefore, we condemn the killings of our people unreservedly and we would like to bring to the attention of all the International Community members that the war in South Sudan is no longer civil war between the government and the oppositions but it is now being directed against Dinka people because of their ethnicity since they are Dinka people were the President is coming from.

Our Information or warning to the International Community
As leaders of Jieng Community in East Africa, we have found it imperative to bring to the attention of the International Community that we are extremely disappointed and dismayed by the impotent response from the International Community to condemn these barbaric and inhuman acts which is in contravention of the international human rights and humanitarian law.

We would like also to inform the International Community that we, the Dinka people know how to fight and we can do it to the required standard but in this case, we have not chosen to adopt the violent means resolving the problems despite the fact that many of our people have been killed in cold blood.

The reason we have been keeping quiet and just watched helplessly though our people are being murdered everyday is because we need peace and unity in South Sudan. In other words, our interest is to save lives of innocent people and also to ensure that dispute is solved peacefully in South Sudan.

However, the way things have reached now as our people are being murdered mercilessly, we are likely to rethink our approach unless the groups behind the killings of our people stop with immediate effect. Thus, our information or warning is going to the international Community or whoever are in the contact with the rebels or these criminals who are killings our people to tell them to stop immediately and unconditionally. If they don't stop these terrorist activities of targeting our people, we shall be forced to take the law into our hands to defend our people and since we have already warned the whole world in this press release, no one will again raise an accusing finger towards us because we are entitled to self-defense if we are being killed.

Warning to the people behind the killings of Dinka People
We would like to reiterate our call on these groups to stop killings innocent Dinka people and if they do not give heed to our appeal to stop inhuman activities, then this serves as a warning that unless the killings of our people stop with immediate effect, we shall be forced to take the law into our hands to defend ourselves. At that point, there will be no compromise as we shall begin with those who are working in Dinka areas and who come from the areas from which we suspect the people killings Dinka people to be coming from.

Inclusion, this press release is not intended to incite Dinka youth as we would like to emphasize that, we, the Dinka people need peace in South Sudan but we would also like to stress that though we need peace, the peace should not be maintained at our expenses because we are also citizens of South Sudan and we should be given equal treatment. We cannot be killed without defending ourselves on the ground that there is a need for peace in

South Sudan. The role of peace keeping is for every citizen in South Sudan irrespective of their ethnical backgrounds.
Therefore, we again call upon the people killing our people to stop killing them and if they do not, then we shall be forced to fight in self-defense if these subversive and barbaric activities of killings our people due to their ethnicity do not stop.

By the office of Jieng Union in Diaspora (East Africa) and undersigned by the people listed below:
Signed by
Name Title Signature
1. Peter Maniel Kuc Chairperson of Jieng Union (+256774343608)
2. Mabior Ikau Chairperson of Greater Bahr el Ghazal made up of ten states
3. Koul Monytong Chairperson of Jieng Padang
4. Ngor Mayor Chairperson of Greater Lakes State made up of three States
5. Akot Garang Chairperson of Aweil States
6. Machar Chol Chairperson of Greater Warrap States

Note the Copies have been given to all the embassies, the UN High Commission for Human Rights office in Uganda and other civil societies. The photos shown below are for those who have been killed on the road because they are members of Dinka ethnic group.

The article entitled: Who is behind the picking and killing of MTN? A nickname for Dinkas in South Sudan.
MTN is a network with logo of "everywhere you go", the business company 's logo becomes nickname for Dinka in South Sudan. They ask people in vehicles, is there MTN? They said yes if available or no if not!
By David Matiop Gai, Juba South Sudan

Source: Paanluelwel.com
The author is a co-founder of National Mental Health Care Organization; He holds Bachelor degree in Social work and social Administration from SSCUST, Bachelor degree in Theology from CLT in Kalispell, Montana USA, and a fellow researcher. He can be reach at tonggaid551@yahoo.com/davidmatiopgai@gmail.com.
Source: Paanluelwel.com

The above photo is of the nurse students who were training at Kecji-Kecji in South Sudan because he was a Dinka.

The person being carried in the above photo was one of the victims in Juba-Yei Road Massacre on 8/10/2016

Source: Paanluelwel.com
The people who are lying dead in the above photo were some of the victims in Juba-Yei Road Massacre where over 200 people mostly women and children were killed on 8/10/2016

Source: radiotamazuj.org
The vehicle above is carrying people killed on target killing because they are Dinka

Source: newsweek.com
The above photo is one of the massacres of Dinka people in target killings

Online: http://www.southsudannation.com/condemnation-of-target-killings-of-dinka-and-warning-to-do-orchestrating-it/, accessed 18 October 2016.

Date 24/10/2016

From Greater Bahr El Ghazal Youth in Wau State.

Ref To All Equatorians working in UN Agencies, NGOs and other Private Sectors.

Reference to all Equatorians working in the above mention underlined subject.
We the **sons** and **daughters** of Bahr El Ghazal region are always killed by the Equatorians with hidden agenda of targeting other ethnic groups. We have been enduring this situation for so long, but our brothers from Equatoria region took us to be fools than beyond their recognition. The time of retaliation has come to its mature stage, which will be effective as soon as possible.
Equatorians have been practicing grime politics in the offices of UNMISS, UN Agencies, NGOs and other institutions.

Below are the mains point couple to the introduction above

1. **Discriminated killing of innocent civilians in Equatoria region.**
2. Funding of rebels in your region through access of **DOLLARS** you are earning from Bahr el Ghazal region.
3. Segregated recruitment of the staff by ignoring the native of this region because you are holding the key positions in the organizations.
4. Your management in organizations results to failure of many projects in this region.

In conclusion, we urge all the **Equatorians** to ***evacuate*** Bahr el Ghazal region within **72** hours effective from the date of this letter.

Failure to respect this will result to havoc situation!!!!

CC to:

- All Media Outlets.
- All Equatorians.

BY:**YOUTH OF GREATER BAHR EL GHAZAL.**

Annex II: Examples of Incitement on Social Media

added 2 new photos

August 16 ·

Dinka Elijah Wa Wendit wanted Dr. Riek Machar Teny Dhurgon dead and can't believe that he is alive (in DRC & Khartoum).

Really!! Dinka think killing him is like killing Nuer leader Col. Samuel Gai Tut simply for Dinka to cling into power for life??? You killed Nuer Leader Col. Samuel Gai Tut, yet you still have great Nuer leaders you are facing their angers. Dinka, You will not escape!!

Blood of innocent will make you bowdown before President Riek Machar Teny Dhurgon

October 10 at 11:21pm ·

Walai walai !! I swear by today I declare a war against equatorians. #DINKA #DINKA why do you let animals cheered you, while you are holding spare . pls turn yourself and deal with this animal. Anyone who is ready just follow me less start it where ever thought in juba... .
#t:t for tat is afair game...

May their soul rest in peace.....

eeing crazy

October 13 at 9:20pm · Tambul, Sudan ·

The life of those innocence people who were massacred during juba incident still alive today though they're not sharing with us on earth 's surface but they're still in our minds and hearts because they have been killed inline of ethnicity with their identity as #nuer
Though there's few guys boring by worsen situations running after money forgetting the yesterday killing done by one whom they today praising him as master because of resources given to them to deny thier images to others ,but we will still continue fighting against the enemies because we're paining the actions of yesterday done by #salvakiir

#RIGHT OF THOSE PEOPLE WHO HAVE BEEN KILLED WILL DEFEATS YOUR MONEY THOUGH YOU'RE DENYING THE FACTS TODAY
#YAATABANDENG

Salva kiir must go

South Sudanese All Over The World, Future Politicians Quorum

October 13 at 7:12am ·

Truth told !
If Dinka run mad because of 21 mathiang anyoor that were kill in Yei-Juba road and what about nuer victime of 15 Dec when salva kiir kill 200,000 innocent nuer civilian in juba.
Dinka like to kill and they don,t want to be kill.

2 new photos

October 4 at 4:39pm ·

#Dinka are for peace in South Sudan, president Kiir is been obfuscated/confused by #Nuer themselves. President Kiir should immediately make a choice whether to support those #pigs. But_Nuer, professional thieves (#Taban_Deng and hybristophiliac #Ezekiel_Lol_Gatkuoth) or bring peace between Dinka with all the tribes in the region.

South Sudan cannot be destroyed by these two groups of Nuer. These groups are brainless, unthinkable, and hybristophiliac individuals who only think about money issues than all South Sudanese lives.

©By professor Belle Gatluong, the Lost Boy of South Sudan, 1988⁹

Follow · October 6

Am convinced today seeing vulnerable group like children and women being murdered too in the name of Dinka walai Equatorians am speechless other than being fear-monger. Genocide will be the only solution to this horrible situation.

Like · Comment

I agreee with dr. Lam, like one said if dinka can recurit their sons why not others? We need south sudan be like somali is ok, we gonna do it... No ones can be sacred...

Like · Reply · August 26 at 3:37pm

Me personally, I will do something against whether u like it or not I don't even have relatives whom they killed but am disturbed by that equatorians putting their hands on we Dinkas. Brother, my life will not end without slaughtering an equatorian what and see u are just living yourselves to useless cowards to kill u and during the struggle u Dinkas were the supper men who brought out south sudan . To inform equatorians , u are in problems

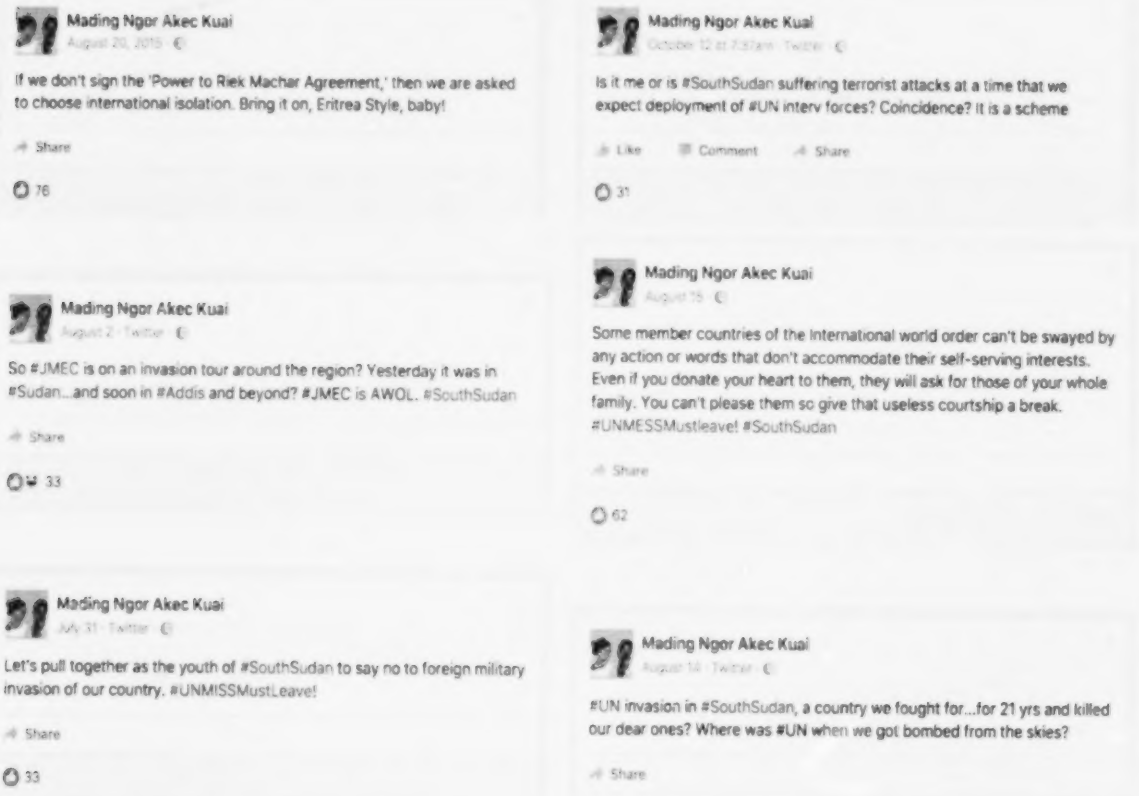
Like · Reply · 1 · October 12 at 3:18pm

eplied · 3 Replies

Those red ants are continuing to bite in the name of tribes and when one set them on fire, outcry will pour out that Dinkas are killing minorities. They need those of late Thon Ayii. "Thon Ayii Anyanya mow, Garang Mabior Anyanya mow"...

Like · Reply · 2 · October 9 at 12:21pm

Sample of anti-UN social media posts by Mading Ngor Akec Kuai


Mading Ngor Akec Kuai
August 20, 2015
If we don't sign the 'Power to Riek Machar Agreement,' then we are asked to choose international isolation. Bring it on, Eritrea Style, baby!
Share
76
Mading Ngor Akec Kuai
October 12 at 7:37am · Twitter
Is it me or is #SouthSudan suffering terrorist attacks at a time that we expect deployment of #UN interv forces? Coincidence? It is a scheme
Like
Comment
Share
31
Mading Ngor Akec Kuai
August 2 · Twitter
So #JMEC is on an invasion tour around the region? Yesterday it was in #Sudan...and soon in #Addis and beyond? #JMEC is AWOL. #SouthSudan
Share
33
Mading Ngor Akec Kuai
August 15
Some member countries of the International world order can't be swayed by any action or words that don't accommodate their self-serving interests. Even if you donate your heart to them, they will ask for those of your whole family. You can't please them so give that useless courtship a break. #UNMESSMustleave! #SouthSudan
Share
62
Mading Ngor Akec Kuai
July 31 · Twitter
Let's pull together as the youth of #SouthSudan to say no to foreign military invasion of our country. #UNMISSMustLeave!
Share
33
Mading Ngor Akec Kuai
August 16 · Twitter
#UN invasion in #SouthSudan, a country we fought for...for 21 yrs and killed our dear ones? Where was #UN when we got bombed from the skies?
Share

Dhiéu Ayuén Mayén shared Mading Ngor Akec Kuai's post
August 21

This is the first time I disagree with my hero Mading Ngor Akec Kuai, Cause we can kick their asses and stay in the UNITED NATIONS AT THE SAME TIME. IT'S NOT HARD TO DO

Mading Ngor Akec Kuai
August 21 · Twitter

Philippines should opt out of the #UN & #SouthSudan should also follow suit. https://t.co/1Tf0vXSt9R via @business

Duterte Threatens to Withdraw Philippines From UN, Hits US

The Philippines' brash-talking president has threatened to withdraw his country from the United Nations.

BLOOMBERG.COM

Mading Ngor Akec Kuai
August 13 · Twitter

Dead on arrival approval! We will turn our backyard into a graveyard for the region. #UNMESSMustleave! #SouthSudan

UN okays Juba troop deployment as South Sudan objects - BBC News

The UN Security Council authorises a 4,000-strong regional protection force for South Sudan's capital, Juba - but the government rejects the move.

BBC.COM/NEWS/WORLD-AFRI...

Share

13

Mading Ngor Akec Kuai
August 3

And this Revolution will be televised! Join the group, one youth, one South Sudan. #UNMESSMustLeave #OurSovereigntyInHands

240 Likes
3 talking about this

Like Page

Share

19